

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HEARTLAND REHABILITATION
SERVICES, INC., an Ohio Corporation,

Plaintiff,

Case No. 06-11769

v.

District Judge Arthur J. Tarnow
Magistrate Judge R. Steven Whalen

JOHN MEKJIAN and PERFORMAX
PHYSICAL THERAPY, P.C.,
a Michigan Corporation,

Defendants.

ORDER DENYING IN PART MOTION TO COMPEL

Before the Court is Defendants' Motion to Compel Production of Documents [Docket #77]. At oral argument on January 9, 2007, the parties indicated that all issues in this motion except one had been resolved, and that a stipulation and order would be filed to that effect. The remaining, unresolved issue involves Defendants' request for documents obtained by Plaintiff from non-party subpoenas.

For the reasons stated on the record on January 9, 2007, this portion of the Defendants' Motion [Docket #77] is DENIED WITHOUT PREJUDICE.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: January 9, 2007

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on January 9, 2007.

S/Gina Wilson
Judicial Assistant